
**State Government & Tribal
Affairs Committee**

HB 2663

Brief Description: Allowing seventeen year olds to vote provided they will be eighteen years old at the next general election.

Sponsors: Representatives Green, Upthegrove, Lias and Hunt.

Brief Summary of Bill

- Allows 17-year-olds to vote at a primary election if they are 18 years of age on or before the following general election.

Hearing Date: 1/30/08

Staff: Marsha Reilly (786-7135).

Background:

Voting Age History

At the time of the adoption of the Fourteenth Amendment to the United States Constitution (Constitution) in 1868 the existing 34 states had set their voting ages at 21. At that time, the Constitution did not contain a national mandatory minimum voting age. Subsequently, every new state entered the union with a voting age of 21 except Alaska (age 18) and Hawaii (age 20).

The amendment to the Voting Rights Act of 1965 extending the franchise to those 18 years of age and older was signed into law by President Nixon on June 22, 1970. In response to a number of state challenges, the Supreme Court ruled in *Oregon v. Mitchell* in 1970 that Congress only had the authority to lower the voting age for federal elections. The Court interpreted Article 1, Section 2 of the Constitution to mean that states may set the voting age for state elections as long as it does not conflict with relevant federal constitutional provisions. States are not prohibited from setting the state voting age lower than the federal one.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Seventeen year olds may vote in a primary election if they will be 18 years old on or before the following general election. This legislation is contingent on legislative and voter approval of the constitutional amendment proposed in HJR 4225.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2009, if the proposed constitutional amendment (HJR 4225) is approved by the voters at the next general election. If the constitutional amendment is not approved this bill is void.